

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MAY 24 2010

SANDMAN OF NORTH
ATLANTA, INC.,

Plaintiff,

v.

KING GREEN, INC.,

Defendant.

CIVIL ACTION FILE NUMBER

1:09-cv-2945-TCB

ORDER AND JUDGMENT

Before the Court is Plaintiff's motion to enforce settlement, motion for an evidentiary hearing and motion to stay all proceedings [47].

After careful consideration, the motion to enforce the settlement is GRANTED, and the two other motions are DENIED AS MOOT. The uncontroverted evidence of record is that the parties, through counsel, reached an enforceable settlement agreement. Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. Plaintiff shall pay Defendant \$20,000 on or before Friday, June 18, 2010;

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6513447

2. Plaintiff is the registered owner of U.S. Patent 6,513,447 (the '447 patent) before the U.S. Patent and Trademark Office, and it is hereby ordered and declared that said patent is invalid and unenforceable;

3. Plaintiff is the registered owner of U.S. Patent 6,997,122 (the '122 patent) before the U.S. Patent and Trademark Office, and it is hereby ordered and declared that said patent is invalid and unenforceable;

4. Plaintiff is permanently enjoined and restrained from seeking to obtain any patents before the U.S. Patent and Trademark Office or any other patent office for any inventions that relate to the subject matter of either the '447 or '122 patents; and

5. All claims, counterclaims, and affirmative defenses raised in this case are hereby dismissed with prejudice, with costs to be borne by Plaintiff.

IT IS SO ORDERED this 24th day of May, 2010.

A handwritten signature in black ink, appearing to read "Timothy C. Batten, Sr.", is written over a horizontal line.

Timothy C. Batten, Sr.
United States District Judge